GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes – Sri V.Badrinadh, former CTO, Khairatabad, Telangana and presently retired as Asst Commr(ST), AP – Allegation of irregularities in assessing to refund of taxes in respect of M/s.Ambience Constructions (I) Limited, Hyderabad - Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 initiated – Charged Officer retired from service on superannuation - Provisional pension – Sanctioned – Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.735 **Dated:09.09.2020**

Read the following:

1. G.O.Rt.No.1097, Fin.Plg, (FW-Pen.I) Dept., dated 22.06.2000.
2. From the CC (ST), AP, Vijayawada, CCT's Ref No. V1/211/2017, dt. 03.03.2020.
3. G.O.Rt.No.734, Revenue (Vig.II) Dept., dated 09-09-2020.

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O R D E R :

In the reference 3rd read above, disciplinary proceedings were initiated against under rule 20 of APCS(CC&A) Rules, 1991 against Sri V.Bhadrinadh, the then CTO, Khairatabad, presently Assistant Commissioner(ST) (Retd. on 31.07.2017) by framing the following Article of Charge:

> "Sri V. Badrinath, the then Commercial Tax Officer, Khairtabad and presently Asst. Commissioner(ST) (Retd.) committed grave irregularities in Assessing to Refund of taxes to a tune of Rs.44,20,705/- for the year 2008-09 in respect of M/s. Ambience Constructions (I) Ltd., Hyderabad, in violation of the existing provisions of the Act. He while making the assessment has not considered the provisions of the A.P. VAT Act and Rules i.e., Sec. 22(3-A), Sec.57, Rule 18 (3)(b) and also G.O. Ms. No.94 Irrigation and CAD (PW-COD) Department dt.01-07-2003, CCT's circular instructions issued in CCT's Ref.No.AIII(1)/150/2012, dt.26-03-2013 and CCT Ref. No.BVI(1)/76/2007 dt.04-06-2008. Thus, he failed to exercise clue diligence in assessing the dealer to excess Tax which has ultimately given rise to Refund of Rs.44,20,705/-. It is a clear case of dereliction of duty, willful negligence and criminal misconduct on the part of the said officer.
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> Sri V. Badrinath, the then Commercial Tax Officer, Khairtabad and presently Asst. Commissioner(ST) (Retd.), by his above mentioned acts has exhibited indiscipline lack of integrity and devotion to duty, unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) & (4) of Andhra Pradesh Civil Services (conduct) Rules 1964."

2. Sri V.Bhadrinadh, the then CTO, Khairatabad, presently Assistant Commissioner(ST) (Retd. on 31.07.2017) has made representation dated 30.01.2020 requesting to sanction of Pensionery benefits to him.

3. Accordingly, in terms of the powers conferred under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980 read with the circular instructions issued in the reference 1st read above, Government hereby accord permission for sanction of provisional pension to an extent of 75% of the normal eligible pension besides sanctioning the retirement benefits such as (a) Family Benefit

Contd.,2

Fund, (b) AP Group Insurance Scheme, (c) GPF amount in his credit and (d) APGLI to Sri V.Bhadrinadh, the then CTO, Khairatabad, now Retired from service on 31.07.2017 on attaining the age of superannuation as Assistant Commissioner(ST) with effect from 01-08- 2017, without prejudice to the outcome of the departmental / judicial proceedings pending against him.

4. The Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri V.Bhadrinadh, the then CTO, Khairatabad, presently Assistant Commissioner (ST) (Retired) Through The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada.
The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada.
Copy to :
The Accountant General, Andhra Pradesh, at Hyderabad,
The Revenue (Vigilance) Department, Telangana State Secretariat, Hyderabad.
Sf / Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER